

1 JUDGE FRANKLIN D. BURGESS
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7 UNITED STATES DISTRICT COURT
8 WESTERN DISTRICT OF WASHINGTON
9 AT TACOMA

10 UNITED STATES OF AMERICA,) NO. CR08-5709FDB
11 Plaintiff,)
12 vs.) MINUTE ORDER GRANTING
13 GALEN J. TRIGG,) DEFENSE MOTION TO CONTINUE
14 Defendant.) TRIAL DATE AND PRETRIAL
15) DEADLINES
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19 Based on the unopposed defense motion to continue the trial date and pretrial
20 deadlines, and the affidavit of defense counsel in support of the motion, the facts set
21 forth in which are hereby incorporated by reference and adopted as findings of fact, the
22 Court makes the following findings of fact and conclusions of law.

- 23 1. The ends of justice served by granting this continuance outweigh the interests
24 of the public and the defendant in a speedy trial. 18 U.S.C. § 3161(h)(8)(A).
25 2. Proceeding to trial absent adequate time for the defense to prepare would
26 result in a miscarriage of justice. 18 U.S.C. §3161(h)(8)(B)(i).
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28 3. The defense needs additional time to explore issues of some complexity,
29 including all relevant issues and defenses applicable to the case, which would make it
30 unreasonable to expect adequate preparation for pretrial proceedings or for trial itself
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within the time limits established by the Speedy Trial Act and currently set for this case.

18 U.S.C. § 3161(h)(8)(B(ii)).

4. Taking into account the exercise of due diligence, a continuance is necessary to allow the defendant the reasonable time for effective preparation of his defense. 18 U.S.C. § 3161(h)(8)(B)(iv).

NOW, THEREFORE,

IT IS HEREBY ORDERED that the trial date in this matter is continued from December 22, 2008 to April 20, 2009, at 9:00 am. The resulting period of delay from December 22, 2008 to April 20, 2009, is hereby excluded for speedy trial purposes under 18 U.S.C. § 3161(h)(8)(A) and (B).

Pre-trial motions are due no later than February 26, 2009.

Pre-trial conference shall be on April 10, 2009 at 2:00pm.

**Trial Briefs, Witness/Exhibit Lists, Motions in Limine and Proposed Jury
Instructions due by April 2, 2009.**

DONE this 16th day of January, 2009.

S/ Pat LeFrois as directed by
The Honorable Franklin D. Burgess
United States District Court Judge